

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, OCTOBER 10, 2016 AT 6:00 P.M. IN THE ADMINISTRATIVE BUILDING #2, 214 W. KING STREET

REGULAR BUSINESS MEETING

The Chairman called the meeting to order.
Pledge of allegiance to the Flag
Roll call to determine quorum

The following members were present:

Mike Babb, Chairman
Harold Brooker, Vice Chairman
Lynn Laughter Member (Via Teleconference)
Roger Crossen, Member
Barry W. Robbins, Member

Others Present:

Mark Gibson, County Administrator
Citizens
Department Heads
Press

Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to amend the agenda. The motion was approved 4-0.

5 items were added from the potential additional items; (1. Parks and Recreation Comprehensive Ordinance, 2. Solicitation Ordinance, 3. Finance – 2016 Budget Amendment #5, 4. 911 – Mobile Computing Software, 5. Resolution to Close Frye Road and Deed over to the City of Dalton)

Motion was then made by Commissioner Crossen and seconded by Commissioner Brooker to approve the amended agenda. The motion was approved 4-0, with Commissioners Robbins, Laughter, Brooker and Crossen in agreement. Approval of the agenda was unanimous.

Mrs. Tracey Crawley was named the Whitfield County Employee of the Month for August 2016. Mrs. Crawley works in the Engineering Department

APPROVAL OF MINUTES: Motion was made by Commissioner Robbins and seconded by Commissioner Crossen to approve the Regular Business Meeting Minutes of September 12, 2016, and the Work Session Minutes of September 26, 2016. The motion was approved 4-0, with Commissioners Crossen, Brooker, Laughter and Robbins in agreement.

PROCLAMATION

1. **National Breast Cancer Awareness Month** – Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to proclaim October, 2016 as National Breast Cancer awareness month in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT “A”)**
2. **Fire Prevention Week October 9 – 15, 2016:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen to proclaim October 9 – 15, 2016 as Fire Prevention Week in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement. **(SEE EXHIBIT “B”)**

PUBLIC HEARING:

Chairman Babb called a Public Hearing for the closing and abandoning of Seaton Loop.

There being no comments or questions, Chairman Babb declared the public hearing closed.

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FOR CONSIDERATION

1. **Close and Abandon Seaton Loop:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to execute the Decision/Certification documents in order to close and abandon a portion of Seaton Loop, the motion at the September 12, 2016 Board of Commissioners regular business meeting a petition was accepted to close and abandon Seaton Loop. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT “C”)**
2. **Cliffs Subdivision – Road Acceptance:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to accept the roads of the Cliffs Subdivision into the County road system. The Cliffs Subdivision was built in 2007-08, a final plat was approved but the roads were never presented to the BOC for approval. The owner/developer Mr. Paul Lusk is asking the BOC to accept the roads. There are two roads totaling 3,165 feet in length (0.6mi). The County Engineer has inspected the construction of the roads and found them to meet construction standards for subdivisions per County code. However due to the age of the roads and lack of traffic on them the asphalt has cracked lengthwise along the centerline and laterally at numerous places. Twelve catch basin lids have been stolen from the property over the years and must be replaced. Additionally, the right-of-way has become overgrown with vegetation and small pines which must be cleared. Public Works Director has developed a cost estimate of \$8,960 for public works to address these deficiencies and get the road in suitable condition for traffic. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement. **(SEE EXHIBIT “D”)**
3. **Title Ad Valorem SPLOST Intergovernmental Agreement:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to approve the intergovernmental agreement for the allocation and distribution of a portion of the proceeds from the Title Ad Valorem Tax relating to SPLOST percentages. This agreement includes Whitfield County, the Tax Commissioner, the Town of Cohutta, the City of Dalton, the City of Tunnel Hill and the City of Varnell. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement. **(SEE EXHIBIT “E”)**
4. **August 2016 Financial Statements:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the August 2016 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for August 2016 is \$799,417, the LOST percentage for 2016 is 63.752%. Local Option Sales Tax for August 2016 show a decrease of 8% compared to Local Option Sales Tax Collections for August 2015; Local Option Sales Tax collections for August 2016 show .1% decrease from July 2016. Year to date 2016 Local Option Sales Tax collections of \$6,564,336 are down 4.7% compared to year to date 2015 collections. Year to date actual revenues of \$15,307,039 for August 2016 are slightly over year to date projected revenue \$15,255,520 by less than 1%. Year to date actual expenditures of \$26,000,616 August 2016 are under year to date projected expenditures of \$27,167,289 by 4%. TAVT collections for August 2016 were \$125,043, budget revenues were \$170,000, based on the year 2012 Collections on the old system the collections for TAVT through August 2016 are under 3% under the new system. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement. **(SEE EXHIBIT “F”)**
5. **Fire Department – Roof Replacement Station 1:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve TBM Inc. as the low bid to replace the roof at Fire Station #1 in the amount of \$58,376. Whitfield County Fire Department operates 12 facilities throughout the County. Six (6) stations were built in 1977 and have had no major improvements or upgrades since being built. The roof at station #1 has been patched and re-roofed and is desperate need of a full replacement. The department solicited bids through the finance process and six vendors attended the pre-bid meeting and only two vendors submitted actual bids, AAA Services (Cornelia) for \$61,250.00 and TBM Roofing (Chattanooga) for \$58,376. The replacement will be a 60 mil TPO membrane that will have a 20yr warranty. Additional costs may be incurred if the decking material is damages once it is uncovered. The motion was

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approved, 4-0, with Commissioners Laughter, Brooker, Robbins and Crossen in agreement. (SEE EXHIBIT "G")

6. **Parks and Recreation Edwards Park Change Orders:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve change orders for the Edwards Park Community Center No. 2 thru 7. Change Order #2 - Credit \$26,101, Change Order #3 - Expense \$18,63.00 undercut bad soil and add stone and other material for foundation, Change Order #4 - Expense \$14,976 .00 move irrigation pump house to access walkway to fields from Community Center, Change Order #5 Expense \$51.00 add white oak doors instead of birch, Change Order #6 - Expense \$1,036.00 move from waterless urinals to flush sensor valve urinals, Change order #7 - Expense \$52,103.65 add generator back to the building. Note: 3-6 change orders should balance with credits from previous credits and more to come. The motion was approved 4-0, with Commissioners Laughter, Brooker, Robbins and Crossen in agreement. (SEE EXHIBIT "H")
7. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to deny the request of Cline Real Estate to rezone two adjacent vacant tracts of land (parcels 11-209-02-003, and 11-209-002-004) containing a total of 2.54 acres from Estate Residential (R-1) to Rural Residential (R-5) located along the north R/W of Highway 2. Commissioner Robbins recused himself from the vote. The Planning Commission has recommended that the Board deny the rezoning. The motion was approved 3-0, with Commissioners Laughter, Brooker, and Crossen in agreement.
8. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the request of Martha and Kenneth Robinson to rezone two adjacent vacant tracts of land (parcels 13-027-18-000, and 13-027-10-000) containing a total of 28.4 acres from Rural Residential (R-5) to Heavy Manufacturing (M-2) two adjacent vacant tracts of land (parcels 11-209-02-003, and 11-209-002-004) located at 3072 and 3042 Five Springs Road, Dalton, GA 30721. Commissioner Laughter recused herself from the vote. The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 3-0, with Commissioners Robbins, Brooker, and Crossen in agreement.
9. **Rezoning Recommendation:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the request of the Whitfield County Board of Commissioners to rezone a tract of land (parcel 12-163-01-001) containing 61.78 acres along the west R/W of Old Dixie Highway from Rural Residential (R-5) to Heavy Manufacturing (M-2). Commissioner Laughter recused herself from the vote. The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 3-0, with Commissioners Robbins, Brooker, and Crossen in agreement.
10. **Parks and Recreation Comprehensive Ordinance:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to adopt the Parks and Recreation Comprehensive Ordinance. The ordinance amends Chapter 11 of the Whitfield County Code of Ordinances by repealing the entire existing Chapter 11 and replacing with a new Chapter 11 still Captioned Parks and Recreation. County Administrator Mark Gibson noted that aggressive behavior is the language that has been inserted in the ordinance as opposed to barking or growling to make it a more generalized term. The Ordinance will take effect on November 1, 2016 instead of January 1, 2017. The motion was approved 4-0, with Commissioners Robbins, Laughter, Brooker, and Crossen in agreement. (SEE EXHIBIT "I")
11. **Solicitors Ordinance:** Motion was made by Commissioner Brooker to adopt the Solicitation Ordinance for Whitfield County and for an effective date of November 1, 2016. The motion died due to lack of a seconded. Motion was then made by Commissioner Crossen and seconded by Commissioner Robbins to approve the Solicitation Ordinance and for an effective date of January 1, 2016. The Ordinance will amend Chapter 10 of the Whitfield County Code of Ordinance relating to Solicitation for Contributions within the Right of Ways by repealing and replacing the existing section 10-4 and replacing therewith a new section 10-4. The motion was approved 3-1, with Commissioners

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Robbins, Laughter, and Crossen in agreement. Commissioner Brooker was in favor of the adoption of the ordinance but in dissent for the January 1, 2017 effective date. **(SEE EXHIBIT "J")**

12. **Finance – 2016 Budget Amendment #5:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the 2016 budget amendment #5 as presented by the Finance Department. This amendment is for the General fund and fund 229 Hazard Mitigation Fund. It increases revenue and does not use any contingency funds. An increase in Property Tax revenue due to millage rate increase. Increase is based on the difference between the original budget and what the County should collect with the new millage rate applied to the digest assuming 100% collection. Adjustments for moving two grants from Fund 229 over to the General Fund-EMA. When the 2016 budget was built it was assumed that these grants would be accounted for in a Special Revenue Fund, however at year end it was determined they could run through the General Fund. Adjustments for moving personnel from IT to Engineering. The motion was approved 4-0, with Commissioners Crossen, Brooker, Laughter, and Robbins in agreement. **(SEE EXHIBIT "K")**

13. **911 – Mobile Computing Software:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the purchase of the SunGard Mobile Computing with AVL and Mobile Field Reporting Software for \$289,140.00. SunGard Mobile Date Terminal and Mobile Field Reporting software will integrate with the existing Records Management System at the Sheriff's Office, and the new CAD system at 911. The software will allow seamless communication between dispatch and field responders, which will increase efficiency and effectiveness of operations. The software will allow for better responder safety, accuracy in relay of information and better reporting. There will also be a more accurate AVL system in pace for EMS response to help ensure better response times, and accurate unit recommendation to calls. The motion was approved 4-0, with Commissioners Brooker, Robbins, Laughter and Crossen in agreement. **(SEE EXHIBIT "L")**

14. **Resolution to Close Frye Road/Deed to City of Dalton:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to close Frye Road and deed over to the City of Dalton. The road is declared for public purposes and abandoned as a section of the County road system such that rights of the public in and to the road shall cease. The motion also approved the conveying of the road to the City of Dalton. The City of Dalton petitioned the County on September 12, 2016 at their regular business meeting. The motion was approved 4-0, with Commissioners Brooker, Robbins, Laughter and Crossen in agreement. **(SEE EXHIBIT "M")**

PUBLIC COMMENT

Mr. Daryl Long came forward and thanked the Board for adopting the Solicitation Ordinance.

There were no other public comments.

ADJOURN Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

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BLANCA CARDONA, COUNTY CLERK

DATE: / /